



IAP7 Rec'd PCT/PTO 05 JUN 2006 #PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul Wentworth et al.

Title: ANTIMICROBIAL ACTIVITY OF ANTIBODIES PRODUCING REACTIVE
OXYGEN SPECIES

Docket No.: 1361.027US2

Filed: November 13, 2003

Examiner: Unknown

Serial No.: 10/534,575

Due Date: June 23, 2006

Group Art Unit: Unknown

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

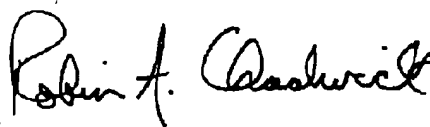
We are transmitting herewith the attached:

- ☒ A return postcard.
- ☒ A check in the amount of \$130.00 to cover the large entity surcharge.
- ☒ Communication Re: Missing Parts (1 pg.).
- ☒ A signed Combined Declaration and Power of Attorney (6 pgs.).
- ☒ Notification of Missing Requirements Under 35 U.S.C. 371 (2 pgs.).
- ☒ Communication Re: Corrected Application Papers (1 pg.).
- ☒ Communication Under 37 CFR § 1.821(2 pgs).

If not provided for in a separate paper filed herewith, please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

Customer Number: 21186

By: 

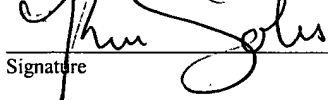
Name: Robin A. Chadwick

Reg. No. 36,477

RAC:CMG:kms

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Attn: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of June, 2006


Name


Signature

06/08/2006 MKAYPAGH 00000070 10534575

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S/N 10/534,575

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------|---|-------------------|-------------|
| Applicant: | Paul Wentworth et al. | Examiner: | Unknown |
| Serial No.: | 10/534,575 | Group Art Unit: | Unknown |
| Filed: | November 13, 2003 | Docket: | 1361.027US2 |
| Customer No.: | 21186 | Confirmation No.: | |
| Title: | ANTIMICROBIAL ACTIVITY OF ANTIBODIES PRODUCING REACTIVE OXYGEN SPECIES | | |

COMMUNICATION RE: MISSING PARTS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the "Notice to File Missing Parts" (see enclosed copy), we submit the Combined Declaration and Power of Attorney, a check in the amount of \$130.00 to cover the Large entity surcharge, .

Applicants assume the application is now in proper order and in condition for examination. Please direct any inquiries to the undersigned attorney at (516) 795-6820.

If necessary, please charge any additional fees or credit overpayment to Deposit Account 19-0743.

Respectfully submitted,

Paul Wentworth et al.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(516) 795-6820

Date June 2, 2006

By

Robin A. Chadwick
Reg. No. 36,477
RAC:CMG:kms

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Attn: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of June, 2006

Name

Signature

S/N 10/534,575

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|-----------------|-------------|
| Applicant: | Paul Wentworth et al. | Examiner: | Unknown |
| Serial No.: | 10/534,575 | Group Art Unit: | Unknown |
| Filed: | November 13, 2003 | Docket: | 1361.027US2 |
| Title: | ANTIMICROBIAL ACTIVITY OF ANTIBODIES PRODUCING REACTIVE OXYGEN SPECIES | | |

COMMUNICATION RE: CORRECTED APPLICATION PAPERS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371" which indicated "Corrected Papers" additionally required, enclosed is a Communication Under 37 CFR § 1.821 for the above-mentioned application.

Applicants assume the application is now in proper order and in condition for examination. Please direct any inquiries to the undersigned attorney at (516) 795-6820.

If necessary, please charge any additional fees or credit overpayment to Deposit Account 19-0743.

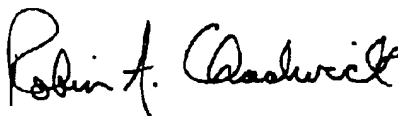
Respectfully submitted,

Paul Wentworth et al.

By their Representatives,
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(516) 795-6820

Date June 2, 2006

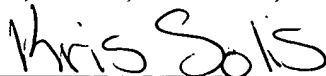
By



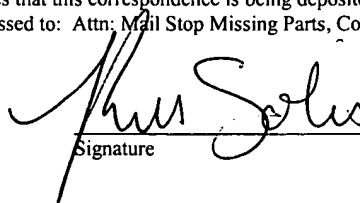
Robin A. Chadwick
Reg. No. 36,477
RAC:CMG:kms

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Name



Signature



S/N 10/534,575

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|-----------------|-------------|
| Applicant: | Paul Wentworth et al. | Examiner: | Unknown |
| Serial No.: | 10/534,575 | Group Art Unit: | Unknown |
| Filed: | November 13, 2003 | Docket: | 1361.027US2 |
| Title: | ANTIMICROBIAL ACTIVITY OF ANTIBODIES PRODUCING REACTIVE OXYGEN SPECIES | | |

COMMUNICATION UNDER 37 CFR § 1.821

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)" mailed November 23, 2005, Applicant provides the following remarks with respect to the requirement for an initial computer readable form (CRF) of the "Sequence Listing," an initial paper copy or compact disc copy of the "Sequence Listing," as well as an amendment directing its entry into the application, and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter.

As stated in 37 C.F.R. ' 1.821(a) ("Nucleotide and/or amino acid sequence disclosures in patent applications"), "[n]ucleotide and/or amino acid sequences as used in ' 1.821 through 1.825 are interpreted to mean an unbranched sequence of four or more amino acids or an unbranched sequence of ten or more nucleotides." Applicant respectfully submits that the above-identified patent application does not contain any sequences which fall within the definition of nucleotide and/or amino sequences provided by 37 C.F.R. ' 1.821(a).

Thus, Applicant respectfully submits that the instant application complies with the requirements of 37 C.F.R. §§ 1.821-1.825 and a sequence listing is not required.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

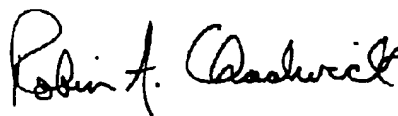
PAUL WENTWORTH ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(516) 795-6820

Date June 2, 2006

By



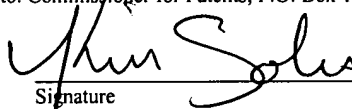
Robin A Chadwick

Reg. No. 36,477

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2 day of June, 2006.

Kris Solis

Name



Signature

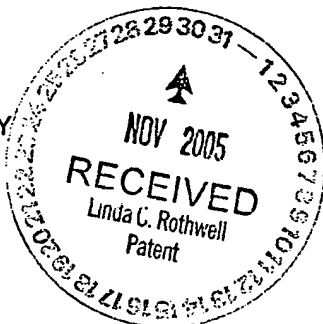


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/534,575 | Paul Wentworth | PI/4-33376A |

001095
NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 104/3
EAST HANOVER, NJ 07936-1080



| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/EP03/12709

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 11/13/2003 | 11/14/2002 |

CONFIRMATION NO. 3392

371 FORMALITIES LETTER



OC000000017509506

Date Mailed: 11/23/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/11/2005
- Copy of the International Search Report filed on 05/11/2005
- Copy of IPE Report filed on 05/11/2005
- Preliminary Amendments filed on 05/11/2005
- Oath or Declaration filed on 05/11/2005
- U.S. Basic National Fees filed on 05/11/2005
- Priority Documents filed on 05/11/2005
- Power of Attorney filed on 05/11/2005
- Specification filed on 05/11/2005
- Claims filed on 05/11/2005
- Abstracts filed on 05/11/2005
- Drawings filed on 05/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

SEQUENCE LISTING REQUIRED

DOCKETED FOR: Jun 23, 2006